REMARKS

Applicants hereby submit this Amendment A responsive to the Office Action—Date Mailed: June 7, 2007, Paper No. 20070307; for which a response is due [3] three months from the date of mailing of the Office Action: September 7, 2007; is hereby extended two months by petition.

Claims 1-102 were rejected by Examiner in the afore-mentioned Office Action to which this Amendment A is responsive. Claims 1-14, 16, 17, 21-40, 43-96 and 99-104 are hereby currently pending. Claims 15, 18-20, 41, 42, 97 and 98 are hereby canceled without prejudice. Claims 44, 76, 78 and 86-95 are original. Claims 1-14, 16, 17, 21-40, 43, 45-75, 77, 79-85, 96 and 99-102 are hereby currently amended. Claims 103 and 104 are hereby added as new claims. No new matter has been added. Reconsideration is respectfully requested.

Examiner states:

> The information disclosure statement filed 11/21/2003 fails to comply with 37 CFR 1.97, 1.98 and MPEP § 609 because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

It is respectfully submitted that Examiner is in error and is incorrect in stating that "The information disclosure statement filed 11/21/2003 fails to comply with 37 CFR 1.97, 1.98 and MPEP § 609 because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information." In actuality, the fact is that the information disclosure statement filed 11/21/2003 DOES FULLY comply with 37 CFR 1.97, 1.98 and MPEP § 609.

This statement by Examiner is incorrect and without basis on its merits. The Examiner's citation is from 37 CFR 1.98 (a) (3) which states "A concise explanation of the relevance, as is

– 29 –

presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information **of each patent, publication, other information listed that is not in the English language.**" [Bolded emphasis added]. Thus, it is clear that Examiner is in error, and that the cited requirement only applies to is only as to "**each patent, publication, other information listed that is not in the English language**". However, all of the listed references that were cited in the present Applicants' information disclosure statement filed 11/21/2003 are in English.

It is therefore respectfully submitted that the information disclosure statement filed 11/21/2003 is in full compliance with 37 CFR 1.97, 1.98 and MPEP § 609, and is entitled to be fully considered as to the merits as of the date of filing of 11/21/2003, and that all information contained in this information disclosure statement of 11/21/2003 is entitled to have the filing date of 11/21/2003 as the formal date of submission. Reconsideration is requested.

Examiner states:

> Claims 1-102 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, strictly software, as they do not fall under any of the statutory classes of inventions. The language in the claims raise an issue because the claims are directed merely to an abstract idea that is not tied to an article of manufacture which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

> The claims could reasonably be drawn to functional descriptive material, per se, i.e., "program" may be taken to mean software alone, and as such, the claims would be directed to non-statutory subject matter. The claims read on software subject matter such as functions relating to software logic modules and logic programs (p. 3- lines 1-5, p. 9- lines 13-25).

By this Amendment A, Claims 1-14, 16, 17, 21-40, 43, 45-75, 77, 79-85, 96 and 99-102 are herein amended. By this Amendment all independent claims have been amended. It is therefore respectfully submitted that by this Amendment A, the claims as amended are clearly drawn to statutory subject matter and are not directed to an abstract idea, and that as amended herein, all claims are directed to statutory subject matter in accordance with 35 U.S.C. 101.

It is therefore respectfully submitted that the rejection of Claims 1-102 under 35 U.S.C. 101 is traversed and overcome.

Examiner states, "Claims 1, 31, 37, 52, 54-56, and 96 are rejected under 35 U.S.C. 102(e) as being anticipated by Agrawal et al. (US 2002/0124169), hereafter 'Agrawal.'"

It is respectfully submitted that Examiner's reliance upon Agrawal et al. is, on the technical merits, is inapposite, traversed and overcome by the pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104.

Furthermore, Claims 1-14, 16, 17, 21-40, 43, 45-75, 77, 79-85, 96 and 99-102 as herein amended clearly set forth claimed patentable distinctions of the present invention over all art of record, including Agrawal et al., alone or in combination with all other art of record.

Agrawal et al., teaches the use of authentication tags to validate identity at a second node, the identity of a first node.

By contrast, Applicants' claimed invention, is patentably distinguishable over Agrawal et al., alone or in combination with any other art of record. For example, Claim 1 (as amended) sets forth a computing system comprising: a network coupling a first computing subsystem and a second computing subsystem; wherein the second computing subsystem provides sending of streaming data packets containing digital media to the first computing subsystem; wherein the first computing subsystem comprising a first processing subsystem provides means for: (a) receiving of the streaming data packets containing digital media from the second computing subsystem, (b) processing of the streaming data packets containing digital media to provide at least one of audio playing on a sound device and a video playing on a display device, and (c) generating of security tags responsive to said processing of streaming data packets and sending the security tags to the second subsystem; and wherein the second computing subsystem provides means for: (a) receiving the security tags from the first computing subsystem, and (b) providing processing logic for validating the received security tags from the first computing subsystem, wherein a successful validation determines that the respective security tags were properly generated responsive to said processing of streaming data packets, and wherein a failed validation determines that the respective security tags were improperly generated responsive to said processing of streaming data packets. This is not taught, suggested or inferred by any art of

– 31 –

record, including Agrawal et al., alone or in combination with any other art of record. There is
no teaching, suggestion or inference in any prior art of record which is at all related to or
material to Claim 1 (as amended) or to any of the presently pending claims as amended.

Claim 37 (as amended) sets forth a method for authenticating operation between at least a
first computing element and a second computing element, the method comprising: sending of
data to the first computing element from the second computing element; receiving the data in the
first computing element; processing the data on the first computing element responsive to an
operational logic module, and generating security tags responsive to an associated tag generation
module; wherein the associated tag generation module is only executable concurrently with the
respective operational logic module in the first computing element; wherein the processing
provides playing that provides at leas one of: an input to an audio device and an input to a video
display; sending the security tags to the second computing element from the first computing
element; processing the security tags in the second computing element to determine one of:
successful validation responsive to validating that the processing of the data in the first
computing element was processed by the operational logic module operating concurrently with
the generating the security tags by the associated tag generation, and failed validation responsive
to validating that the processing of the data in the first computing element was not processed by
the operational logic module operating concurrently with the generating the security tags by the
associated tag generation; and stopping sending further data to the first computing element
responsive to the failed validation. This is not taught, suggested or inferred by any art of record,
including Agrawal et al., alone or in combination with any other art of record. There is no
teaching, suggestion or inference in any prior art of record which is related to or material to
Claim 37 (as amended) or to any of the presently pending claims as amended.

Claim 52 (as amended), provides a method of providing content protection in
communicating of streaming data packets, the method comprising: defining within a first
computing subsystem, defined rules for processing; receiving the streaming data packets
containing content, in the first computing subsystem; processing of the streaming data packets in
the first computing subsystem according to defined rules for processing; generating security tags
responsive to execution of the defined rules for processing; sending the security tags from the

first computing subsystem to a second computing subsystem; providing defined validation logic in the second computing subsystem relating to said generating of security tags; processing, in the second computing subsystem, the received security tags, responsive to the defined validation logic to provide respective validated security tags; and processing in the second computing subsystem the validated security tags and the received security tags to determine whether the generating security tags in the first computing subsystem was properly generated responsive to execution of the defined rules for processing at the first computing subsystem. This is not taught, suggested or inferred by any art of record, including Agrawal et al., alone or in combination with any other art of record. There is no teaching, suggestion or inference in any prior art of record which is related to or material to Claim 52 (as amended) or to any of the presently pending claims as amended.

Claim 54 (as amended), provides a method for authentication of generation of communicated data packets, the method comprising: transmitting data packets from a second computing subsystem to a first computing subsystem; receiving the streaming data packets for processing in the first computing subsystem; defining rules of processing; wherein the processing provides playing that provides at least one of: an input to an audio device and an input to a video display; generating security tags responsive to the streaming data packets responsive to the rules of processing; sending respective ones of the security tags from the first computing subsystem to the second computing subsystem, responsive to the streaming data packets and the rules of processing; and processing the received security tags in the second computing subsystem to validate that the processing in the first computing subsystem is operating according to the rules of processing. This is not taught, suggested or inferred by any art of record, including Agrawal et al., alone or in combination with any other art of record. There is no teaching, suggestion or inference in any prior art of record which is related to or material to Claim 54 (as amended) or to any of the presently pending claims as amended.

Claim 56 (as amended), is directed to a computer system providing remote authentication of processing of content, the system comprising: a tag generator operating from an initial generator state to locally generate a sequence of security tags responsive to concurrent execution upon a sequence of content processing steps; means providing for transmission of the sequence

– 33 –

of security tags; a tag verifier operating from an initial verification state to generate a sequence of comparison security tags for selective comparison to the sequence of the security tags; and means for coordinating the initial generator state and the initial verifier state prior to the execution on the sequence of content processing steps, wherein the tag verifier selectively provides valid comparison tags responsive to the means for coordinating, wherein the valid comparison tags are utilized to provide authentication of the execution of the sequence of content processing steps. This is not taught, suggested or inferred by any art of record, including Agrawal et al., alone or in combination with any other art of record. There is no teaching, suggestion or inference in any prior art of record which is related to or material to Claim 56 (as amended) or to any of the presently pending claims as amended.

Claim 64 (as amended), is directed to a system for providing secure integration of separate software logic modules to provide a combined functionality, the system comprising: a first computing subsystem, wherein the first computing subsystem provides: (a) receiving of streaming data packets from a media server associated with the first computing subsystem, and providing processing of the streaming data packets, responsive to defined rules for processing of the streaming data packets, and (b) generation of security tags and selectively sending of the security tags to said media server associated with the first computing subsystem; the system further comprising: a plurality of software logic modules each operable stand-alone to provide a respective one of a plurality of subtask functions associated with operations on the first computing subsystem; and a transformation controller providing interlocking of the plurality of software logic modules into a single logic program that provides a combined functionality; wherein the combined functionality is only provided by the first computing subsystem when the plurality of subtask functions are executed concurrently responsive to the single logic program. This is not taught, suggested or inferred by any art of record, including Agrawal et al., alone or in combination with any other art of record. There is no teaching, suggestion or inference in any prior art of record which is related to or material to Claim 64 (as amended) or to any of the presently pending claims as amended.

Claim 96 (as amended), is a method claim providing controlled signaling, the method comprising: providing defined rules defining at least one of: transmission, forwarding, and

– 34 –

operation on a first computing subsystem; receiving streaming data packets from a media server, at the first computing subsystem; processing of the streaming data packets on the first computing subsystem, in accordance with the defined rules in the first computing subsystem; generating a security tag responsive to validating the processing in accordance with the defined rules in the first computing subsystem; transmitting the security tag onto a communications path from the first computing subsystem; receiving the security tag from the communications path on a second computing subsystem; and validating the security tag on the second computing subsystem so as to validate that the processing of the streaming data packets is in accordance with the defined rules, and that said processing of the streaming data packets took place at the first computing subsystem only upon successful validation. This is not taught, suggested or inferred by any art of record, including Agrawal et al., alone or in combination with any other art of record. There is no teaching, suggestion or inference in any prior art of record which is related to or material to Claim 96 (as amended) or to any of the presently pending claims as amended.

All of the remaining pending claims depend from independent Claims 1, 37, 52, 54, 64 and 96.

Thus, it is respectfully submitted that by this Amendment A, all pending claims 1-14, 16, 17, 21-40, 43-96 and 99-104, are patentably distinguishable over Agrawal et al. alone or in combination with other art of record.

Agrawal et al. is not analogous to the presently claimed invention. Rather, Agrawal et al. teaches of using authentication logic solely for authenticating the identity of nodes, (i.e., certifying the identity of the node of origin of the communication).

All pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104 are patentably distinguishable over Agrawal et al., alone or in combination with other art of record.

Agrawal's et al. use of tags for certifying identity of other nodes, (i.e., their identity) is not analogous to Applicants' claimed invention (as set forth in currently pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104).

It is thus respectfully submitted that the rejection of Claims 1-14, 16, 17, 21-40, 43-96 and 99-104, as currently pending herein, under 35 U.S.C. § 102(b) as being anticipated by Agrawal et al., is traversed and overcome at least for the reasons as discussed herein. All

– 35 –

currently pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104 are allowable over all bases of rejection and over all art of record. Agrawal et al., is neither suggestive of, nor anticipatory of, nor does Agrawal et al. teach, suggest or infer (alone or in combination with other art of record). Applicant's invention, as set forth in presently pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104, is patentably distinguishable and allowable over Agrawal et al (alone or in combination with other art of record).

Examiner states, "Claims 2-5, 7-21, 23-30, 32-36, 38-51, 53, 57-64, 66-95, and 97-102 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal in view of Andrews (US 6,574,736), hereafter 'Andrews.'"

Examiner states, "Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Agrawal and Andrews in view of Drake (US 6,006,328), hereafter 'Drake.'"

It is respectfully submitted that all of the presently pending claims are patentably distinguishable over Agrawal in view of Andrews , over Agrawal and Andrews in view of Drake, and over all art of record alone or in combination. As discussed above, the presently claimed invention is patentably distinguishable over Agrawal et al, and for the same reasons is patentably distinguishable over Andrews and Drake. Furthermore, Agrawal et al, , Andrews, Drake, alone or in combination with and all art of record, do not teach, suggest or infer Applicants' claimed invention, which is patentably distinguishable thereover.

The prior art not relied upon has been considered, and it is respectfully submitted that all pending Claims 1-14, 16, 17, 21-40, 43-96 and 99-104 are patentably distinguishable over all art of record.

It is respectfully submitted that all bases of rejection under 35 U.S .C sections 101, 102 and 103 have been traversed and overcome, and that all basis of objection has been overcome and traversed, and that the information disclosure statement filed 11/21/2003 is in full compliance with 37 CFR 1.97, 1.98 and MPEP § 609, and is entitled to be fully considered as to the merits as of the date of filing of 11/21/2003, and that all information contained in this information disclosure statement of 11/21/2003 is entitled to have the filing date of 11/21/2003 as the formal date of submission.
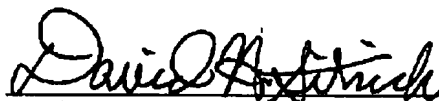
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PATENT APPLICATION
Serial Number: 10/691,277
Attorney Docket Number: TFI 1848

Applicants respectfully submit that the above-referenced application, including all pending claims, is in proper form for Allowance. A Notice of Allowance or a Notice of Allowability is respectfully requested.

This response is accompanied by the appropriate Petition for Extension of Time under 37 CFR 1.136(a). A fee, in the amount of $230.00, for a Two-month Petition for Extension of Time is due and hereby paid via said Petition for Extension of Time. The Director has already been authorized to charge any additional fees and credit any overpayments during the pendency of this application to Sitrick & Sitrick's Deposit Account Number: 501166. Reconsideration is respectfully requested.

The Examiner is invited to directly communicate with the undersigned, if it will in any way facilitate the prosecution of the application.

Respectfully submitted,

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November 7, 2007

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— 37 —